

Notice of Allowability

Application No.

10/025,283

Examiner

John S. Brusca

Applicant(s)

EWING, TODD J.A.

Art Unit

1631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 71-99.
3. ☒ The drawings filed on 19 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 19 December 2001
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

John S. Brusca
Primary Examiner
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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In lines 1-20 of page one of the specification the following amendment has been made:

CROSS-REFERENCE TO RELATED APPLICATIONS

This patent application is related to U.S. Patent ~~Application No. 09/368,511~~ **No. 6,643,591** "Use of Computational and Experimental Data to Model Organic Compound Reactivity in Cytochrome P450 Mediated Reactions and to Optimize the Design of Pharmaceuticals," filed August 5, 1999 by Korzekwa et al. (~~Atty Docket No.: CAM1P001~~); U.S. Patent ~~Application No. 09/613,875~~ **No. 6,625,547**, "Relative Rates of Cytochrome P450 Metabolism," filed July 10, 2000 by Korzekwa et al. (~~Atty Docket No.: CAMD002~~); U.S. Provisional Patent Application No. 60/217,227, "Accessibility Correction Factors for Quantum Mechanical and Molecular Models of Cytochrome P450 Metabolism," filed July 10, 2000 by Ewing et al. (~~Atty Docket No.: CAM1P004P~~); U.S. Patent Application No. 09/902,470, "Accessibility Correction Factors For Electronic Models Of Cytochrome P450 Metabolism," filed July 9, 2001 by Ewing et al. (~~CAM1P004~~); and U.S. Patent Application No. 09/811,283, "Predicting Metabolic Stability of Drug Molecules," filed March 15, 2001 by Ewing et al. (~~AA Docket No.: CAM1P005~~). These patent applications, as well as any other patents, patent

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applications and publications cited herein, are hereby incorporated by reference in their entirety for all purposes.

On page 39, line 15, the phrase "Application No. 09/613875" has been deleted and -- No.6,625,547-- has been substituted therefor.

On page 39, line 24, the phrase "Application No. 09/613875" has been deleted and -- No.6,625,547-- has been substituted therefor.

2. The following is an examiner's statement of reasons for allowance: The closest prior art is Labute, U.S. Patent No. 6,691,045. Labute shows methods of determining quantitative structure-activity relationships using nonlinear modeling of descriptors. Labute does not show the fitting and eliminating of molecular descriptors as claimed in steps (a)-(c) of claims 71-99.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John S. Brusca whose telephone number is (571) 272-0714. The examiner can normally be reached on M-F 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Woodward can be reached on (571) 272-0722. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

John S. Brusca 15 May 2004

John S. Brusca
Primary Examiner
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jsb